



Remarks

Claims 1-7 and 21-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 6,650,640 to Muller et al. (hereinafter "Muller") in view of U.S. Published Application Number 2004/0158640 to Philbrick et al. (hereinafter "Philbrick").

According to 35 U.S.C. §103(c)(1) "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Applicants respectfully assert that Philbrick discloses subject matter developed by the same or another person, which at most may qualify as prior art only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §103, so that the rejection presented by the Office Action is inappropriate.

With this Reply, applicants have rebutted yet another Office Action rejection. Applicants respectfully question the Examiner's approach of making repeated erroneous rejections of this application, and are disturbed by the delay that this approach is causing. Applicants once again respectfully assert that the application is in condition for allowance, and a notice of allowance is solicited.


Respectfully submitted,

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope bearing sufficient postage addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 7, 2006.

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